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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCOS ADRIAN GARCIA LUGO,

Defendant.

Case No. 2:23mj192-DAO

COMPLAINT

COUNT 1: Possession of
Methamphetamine with Intent to
Distribute, 21 U.S.C. § 841(a)(1)

Judge Daphne A. Oberg

Before Daphne A. Oberg, United States Magistrate Judge for the District of Utah,
appears the undersigned, who on oath deposes and says:

COUNT 1

21 U.S.C. § 841(a)(1)
(Possession of Methamphetamine with Intent to Distribute)

On or about March 1, 2023, in the District of Utah,

MARCOS ADRIAN GARCIA LUGO,

the defendant herein, did knowingly and intentionally possess with the intent to distribute
methamphetamine, a Schedule II controlled substance, within the meaning of 21 U.S.C. §

812; all in violation of 21 U.S.C. § 841(a)(1) and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

This Complaint is made on the basis of investigation described in the affidavit below, and with the following elements for the charged counts as follows:

The elements of Count 1, violation of 21 U.S.C. § 841(a)(1), Possession of Methamphetamine with Intent to Distribute are:

- a. The defendant knowingly and intentionally possessed methamphetamine with intent to distribute as charged; and
- b. The substance was, in fact, methamphetamine, a Schedule II Controlled Substance.

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT

Complainant, Jared Stillion, being duly sworn, hereby states that this Felony Complaint is based on information obtained through an investigation consisting of the following:

1. Your affiant is a Task Force Office with the Bureau of Alcohol Tabaco and Firearms (ATF) and a Detective with the Salt Lake County Unified Police Department's Metro Gang Unit (MGU). He has been employed by the Salt Lake County Sheriff's Department since 2008. Your affiant is currently assigned to MGU and is tasked with investigating street gangs and drug trafficking. As a TFO with the ATF and a Detective with MGU, your affiant has participated in many investigations involving drug trafficking activities in violations of 21 U.S.C. §§ 841 and 846, along with other violations of federal law, including 18 U.S.C. §§ 922(g) and 924(c). Additionally, your

affiant has participated in investigations that involve sophisticated electronic surveillance methods to include GPS vehicle trackers, pen register/trap and trace devices, and court authorized Title III wire intercepts. Your affiant is also familiar with the appearance, packaging, common usage, and terminology regarding controlled substances through your affiant's training, experience, and observation. Your affiant is familiar with how drugs are distributed on the street level, all the way from retail distribution to wholesale distribution. Your affiant is familiar with the facts and circumstances alleged in this complaint.

2. On March 1, 2023, detectives with the Salt Lake Area Metro Gang Unit observed a Nissan passenger vehicle speeding in the area of 3100 South Bangerter Highway in Salt Lake County, Utah. Detectives attempted to stop the vehicle, initiating their lights and sirens, giving both audible and visual signals to the vehicle to stop. The vehicle, however, failed to yield to police and attempted to flee the area, and detectives terminated their pursuit of the vehicle.

3. Moments later, your affiant (who was in the area in an unmarked police car) observed the vehicle made a sharp left-hand turn at approximately 3600 West and 3150 South and, in the process of making the turn, strike another car which then spun into and struck a pedestrian.

4. After the collision, your affiant observed Marcos Adrian GARCIA LUGO ("GARCIA LUGO") exit the driver's seat of the vehicle and run northbound away from the site of the collision, scaling a fence and discarding items to the ground while running. In the path of GARCIA LUGO's flight, detectives later found a softball-sized ball of

field-tested-positive methamphetamine and a Smith and Wesson Shield 9mm firearm, which was stolen from an owner in Millcreek, Utah, in 2019.

5. Detectives eventually located and arrested GARCIA LUGO in a residence just north of the location of the collision. A subsequent search of GARCIA LUGO's vehicle revealed approximately 3.5 lbs of field-tested-positive methamphetamine, ½ lb of heroin, and approximately 3,000 fentanyl pills, as well as \$2,557.00 in U.S. currency.

6. During a post-*Miranda* interview, GARCIA LUGO admitted fleeing from police because he was in possession of a large amount of narcotics.

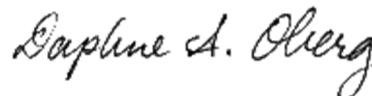
7. I know from training and experience that these amounts of methamphetamine, especially when found with such a large amount of U.S. currency, are consistent with distribution as opposed to personal use.

8. Based on the foregoing information, I respectfully request an arrest warrant be issued for GARCIA LUGO for a violation of 21 U.S.C. § 841(a)(1), Possession of Methamphetamine with Intent to Distribute.



Jared Stillion
Task Force Officer
Bureau of Alcohol Tabaco and Firearms

SUBSCRIBED AND SWORN TO by reliable electronic means this 2 day of March 2023.



HONORABLE DAPHNE A. OBERG
United States Magistrate Judge

APPROVED AS TO FORM:

TRINA A. HIGGINS
United States Attorney

/s/ Stephen L. Nelson

STEPHEN L. NELSON
Assistant United States Attorney